

AMENDMENTS TO THE DRAWINGS

The attached two (2) sheets of drawings including changes to Figures 2 and 3. These 2 sheets, which include Figures 2 and 3, replace the original sheets 2 and 3 including Figures 2 and 3.

As required in the final Office action, the amendment to the drawings adds labels with 120, 122, 124 and 126 in Figure 2; and 3 with 122, 124, 160, 162, 164, 166m 178 and 180 as described in paragraphs 0020 – 0024 of the specification. No new matter is added. Entry of the amendment is respectfully requested.

REMARKS

Claims 8 – 19 remain in the application and stand rejected. Claims 1 – 7 are canceled herein without prejudice as being drawn to a non-elected invention. The rejection of claims 8 – 19 is respectfully traversed.

The drawings are objected to because it is asserted that they fail to show necessary textual labels of features or symbols as described in the specification. Specifically, the drawings are amended as required in the final Office action to add labels with 120, 122, 124 and 126 in Figure 2; and 3 with 122, 124, 160, 162, 164, 166m 178 and 180. This amendment is supported at paragraphs 0020 – 0024 of the specification. No new matter is added. Entry of the amendment is respectfully requested.

The specification is objected to because it is asserted to contain “many claimed words used that do not provide any explicit definition such words are: a repeatable data structure, page map, tabular lists, page pointer table, etc. [and] because such broad terms are used to describe the specifications [sic], it is **difficult to understand** the novelty in utilizing this claimed data structure.” (emphasis added).

The “detailed description, required by 37 CFR 1.71, MPEP § 608.01, must be in such particularity as to enable **any person skilled** in the pertinent art or science to make and use the invention **without** involving **extensive** experimentation. An applicant is ordinarily permitted to use his or her own terminology, as long as it can be understood.” MPEP § 608.01 (emphasis added). Thus, to comply, the written description must enable a skilled artisan, not every skilled artisan or even one of ordinary skill, just a “person skilled in the pertinent art ... without involving extensive experimentation.” These terms, “a repeatable data structure, page map, tabular lists, page pointer table, etc.,” are each described and an example is provided in the Figures.

Paragraph 0011, for example, with reference to Figure 3 provides that the “present invention relates to a data structure for repeated data items presented in tabular lists The data structure [160] includes a page pointer table [162] with links [164, 166] to repeatable data structures [124, 136] and corresponding page maps [178, 180].” A tabular list is well known to be a list in table form. Furthermore, lists, tables and maps are all very well understood within the field of information handling. Thus, the written description is provided in terms “in such particularity as to enable any person skilled in the pertinent art or science to make and use the invention without involving extensive experimentation.” Reconsideration and withdrawal of the objection to the specification is respectfully requested.

Citing 37 CFR 1.75(d)(1) and MPEP §608.01(o), the final Office action also objects to the specification for, assertedly, failing to provide “clear definitions of a page pointer table, page map, repeatable data, a tabular list” However, during examination “the words of the claim must be given their plain meaning unless **>the plain meaning is inconsistent with< the specification.” MPEP §2111.01 (citation omitted). Thus, having both cited support in the written description (hereinabove) for these terms and because, tabular lists, tables and maps, are all very well understood within the field of information handling, the specification provides proper antecedent basis for the claims. Reconsideration and withdrawal of the objection to the claims is respectfully requested.

Claims 8, 11, 13, 14 and 17 are finally rejected under 35 U.S.C. §102(e) over U.S. Patent No. 7,039,658 B2 to Starkey. Claims 9, 10, 12, 15, 16, 18 and 19 are finally rejected under 35 U.S.C. §103(a) over Starkey in further view of published U.S. Patent Application No. 2002/0138509 to Burrows et al. The final rejection is respectfully traversed.

The final Office action asserts that the Starkey application store (col. 3, line 1) is the recited “data generation module generating variable data for display;” at line 5 of claim 8. The Starkey “application store contains at least one application that identifies templates by name.” Col. 3, lines 5 – 7. Applications that identify

templates by name are not the same as and do not teach or suggest “generating variable data for display;” Nor, at least as far as the applicants can tell, does Starkey teach or suggest anything that could be considered an “executable code module or data generation module 106 **generates variable data**, e.g., from system monitored parameters,” as described in the application in paragraph 0016 and as recited in claim 8.

As previously noted “[d]uring patent examination, the pending claims must be ‘given *>their< broadest **reasonable** interpretation consistent with the specification.’ >*In re Hyatt*, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000)” MPEP, §2111 (emphasis added). Moreover, that “broadest reasonable interpretation of the claims **must also be consistent** with the interpretation that those skilled in the art would reach. *In re Cortright*, 165 F.3d 1353, 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999).” *Id.* (emphasis added).

The final Office action further asserts that the Starkey template store (col. 3, lines 1 – 5) is “a collection of hypertext mark up language (HTML) template files, ones of said HTML template files including placeholders in markup text for dynamic input data;” at lines 6 – 8 of claim 8. The Starkey “template store contains a plurality of templates, each template having a name, a body and selection criteria with at least two templates having the same name.” *Id.*, lines 3 – 5. Further, each Starkey template “contains certain control information and headers and body written in HTML or other corresponding code, such as HDML code. An HTML generator 27, ... generates the corresponding HTML or other code for transfer back to the requesting user for interpretation and display by the browser.” Col. 4, lines 26 – 33. There is nothing in here or anywhere else in Starkey, at least as far as the applicants can tell, that could be considered “placeholders in markup text for dynamic input data” consistent with the meaning of the application (e.g., paragraph 0021) and as claim 8 recites.

The final Office action generally asserts without specific attribution that the Starkey “application manager producing a representation of a web page in response to the body of each selected template that the interface converts into a form that is

compatible with the user's web browser" is equivalent to "a page generation module selectively providing HTML documents from said HTML template files, said page generation module combining said variable data with said placeholders in selected said ones;" at lines 9 – 11 of claim 8. However, while both Starkey and the present invention may generate web pages viewable in a web browser, Starkey does not teach or suggest combining variable data and placeholders in HTML template files.

The final Office action further asserts that a Starkey description of "a hash table [that] includes a slot that points to the template object for the DrlTable. (i.e. page pointer table points to a template)" is identical to "**each of** said data generation module **and** said page generation module **including a page pointer table with a single entry** for each of said HTML template files" at lines 12 – 14 of claim 8 (emphasis added). *See also*, claim 14, lines 10 – 12 and claim 17, lines 6 – 7. However, a general recitation of a hash table ("FIG. 6B depicts the templates manager object 130. It includes a hash table at 131 and application context at 132." Col. 8, lines 45 – 46.) hardly discloses a "data generation module and [a] page generation module including a page pointer table with a single entry for each of said HTML template files" as claims 8, 14 and 17 recite.

The final Office action also asserts that Starkey "templates are repeatable data structure" and so, are equivalent to "each said single entry [in the page pointer table in each of the data generation module and page generation module] for each of said ones pointing to a corresponding repeatable data structure" at lines 14 – 15 of claim 8. *See also*, claim 14, lines 12 – 13 and claim 17, lines 7 – 8. Regardless of whether the Starkey templates are a repeatable structure, the templates are not single entries "pointing to a corresponding repeatable data structure." As noted herein, each Starkey template "contains certain control information and headers and body written in HTML or other corresponding code, such as HDML code. An HTML generator 27, ... generates the corresponding HTML or other code for transfer back to the requesting user for interpretation and display by the browser." Col. 4, lines 26 – 33. There is nothing in here or anywhere else in Starkey, at least as far as the applicants

can tell, that indicates that the Starkey templates include a “single entry ... pointing to a corresponding repeatable data structure” as claims 8, 14 and 17 recite.

The final Office action also asserts that a Starkey “templates (repeatable data structure) have names (i.e. page map) that further uses criteria by defining a particular table (i.e. tabular data list being displayed as table on a generated html document)” teaches “a page map for tabular data lists in said corresponding repeatable data structure, said tabular data lists being displayed as a table on a generated said HTML document.” Claim 8, lines 15 – 17, claim 14, lines 14 – 15 and claim 17, lines 8 – 9. Names are not a page map, at least within the everyday meaning in the art or consistent with the meaning of the present application. “Each page map 178, 180, which are also in the pre-compiler output 117 with item structures 124, 126, includes an index 182, 184, 186, 188, 190 for each tabular data list 146, 148, 150, 152, 154.” Paragraph 0022. So, a page map is much more than just a name. “Further, by storing the page maps 178, 180, e.g., with dynamic data in store 104, the page pointer table 162, which points to each map 178, 180, provides a much more efficient master data structure,” significantly reducing the executable modules. Paragraph 0023. Neither does using “criteria by defining a particular table” necessitate that “tabular data lists [are] displayed as a table on a generated said HTML document” as claims 8, 14 and 17 recite.

Furthermore, because dependent claims include all of the differences with the cited reference as the claims from which they depend, claims 11 and 13, which depend from claim 8 are not taught or suggested by Starkey or any reference of record. Reconsideration and withdrawal of the rejection to claims 8, 11 and 13 under 35 U.S.C. §102(b) is respectfully requested.

Regarding the rejection of claim 14, citing Col. 6 lines 34 – 36, the Starkey invention “contains modules that [facilitate] web page development and generation responses that will produce a web page image at a browser,” which is asserted to be the same as the recited “data generation module generating variable data for display;” at line 4 of claim 14. *See also*, claim 17, lines 4 – 5. However, while both Starkey

and the present invention both “produce a web page image at a browser” that is not the same as the recited data generation module. As noted hereinabove, at least as far as the applicants can tell, does Starkey teach or suggest anything that could be considered a “executable code module or data generation module 106 [that] **generates variable data**, e.g., from system monitored parameters,” (*supra*, emphasis added) and as recited in claims 14 and 17.

The final Office action further asserts that the Starkey template files (col. 1, lines 60 – 64) contain “locations for code that controls web page semantics” and so, is “a collection of hypertext mark up language (HTML) template files, ones of said HTML template files including placeholders in markup text for dynamic input data;” at lines 5 – 7 of claim 14. *See also*, claim 17, line 13. Applicants note that at col. 1, line 53 – col. 2, line 12, Starkey describes an embedded (in HTML) character string that is a dynamic tag and that may be a conditional instruction. However, this does not teach placeholders in the HTML. As noted hereinabove, there is nothing here or anywhere else in Starkey, at least as far as the applicants can tell, that could be considered “placeholders in markup text for dynamic input data” consistent with the meaning of the application (e.g., paragraph 0021) and as claims 14 and 17 recite.

Finally, the final Office action further asserts that at col. 1, lines 54 – 64, the Starkey “active page server [that] processes the combination of template and code to produce html documents” is equivalent to “a page generation module selectively providing HTML documents from said HTML template files, said page generation module combining said variable data with said placeholders in selected said ones;” at lines 8 – 9 of claim 14. *See also*, claim 17, line 12 – 13. However, while both generate web pages viewable in a web browser, the Starkey describes an embedded (in HTML) character string is different than a “page generation module combining said variable data with said placeholders in selected said ones;” nor does Starkey teach or suggest combining variable data and placeholders in HTML template files as claims 14 and 17 recite. Reconsideration and withdrawal of the rejection to claim 14 under 35 U.S.C. §102(b) is respectfully requested.

Regarding the rejection of claim 17, regardless of whether, as asserted, Starkey "Col. 2, lines 66 – 67 to col. 3, lines 1 – 19, defines template files with name, body and selection criteria" could be considered "computer readable program code means for defining said plurality of HTML files;" those template files would not be useful, without more, for practicing the present invention as recited in claim 17. Therefore, Starkey fails to teach the present invention as recited in claim 17. Reconsideration and withdrawal of the final rejection to claim 17 under 35 U.S.C. §102(b) is respectfully requested.

Regarding the rejection of claims 9, 10, 12, 15, 16, 18 and 19 under 35 U.S.C. §103(a) over Starkey in combination with Burrows, Burrows adds nothing to Starkey to result in the present invention as recited in claims 8, 14 and 17, from which claims 9, 10, 12, 15, 16, 18 and 19 depend. Therefore, the combination of Burrows and Starkey does not result in the present invention as recited in claims 9, 10, 12, 15, 16, 18 and 19. Reconsideration and withdrawal of the final rejection to claims 9, 10, 12, 15, 16, 18 and 19 under 35 U.S.C. §103(a) is respectfully requested.

The applicants thank the Examiner for efforts, both past and present, in examining the application. Believing the application to be in condition for allowance for the reasons set forth above, the applicants respectfully request that the Examiner enter the amendment, reconsider and withdraw the objection to the specification and claims, reconsider and withdraw the final rejection of claims 8 – 19 under 35 U.S.C. §§102(a) and 103(a) and allow the application to issue.

As the applicants have previously noted, MPEP §706 "Rejection of Claims," subsection III, "PATENTABLE SUBJECT MATTER DISCLOSED BUT NOT CLAIMED" provides in pertinent part that

If **the examiner** is satisfied after the search has been completed that patentable subject matter **has been disclosed** and the record indicates that **the applicant intends to claim** such subject matter, he or she may note in the Office action that **certain aspects or features** of the patentable invention have not been claimed and that if properly claimed such claims **may be given favorable consideration**.

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(emphasis added.) The applicants believe that the written description of the present application is quite different than and not suggested by any reference of record and that the claims as amended reflect those differences. However, should the Examiner believe anything further may be required, the Examiner is requested to contact the undersigned attorney at the local telephone number listed below for a telephonic or personal interview to discuss any other changes.

Please charge any deficiencies in fees and credit any overpayment of fees to IBM Corporation Deposit Account No. 09-0449 and advise us accordingly.

Respectfully Submitted,

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(Date)

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APPENDIX